

**GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT**

Higher Education – Vigilance Cell – Disciplinary proceedings against Sri M. Ranga Reddy, Principal (Retired), G. P.M., Kurnool – Finalisation of disciplinary action under Rule 9 of Andhra Pradesh Revised Pension Rules 1980 – Final orders – Issued.

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**HIGHER EDUCATION (VC) DEPARTMENT**

**G.O.Rt.No. 393**

**Dated:29-09-2014.**

**Read the following:-**

1. From the CTE Lr No. C1/4803/2011, dt.29.08.2011.
2. G.O. Rt. No. 375, Higher Education ( V.C. II) Deptt.,, dt. 21.06.2012.
3. Written statement of defense of Sri M.Ranga Reddy, Principal (Retd.) Government Polytechnic (M), Kurnool, dt.24.07.2012
4. From the CTE Lr No. C1/11414/2012, dt.02.08.2012
5. G.O. Rt. No. 772, Higher Education ( V.C. II) Deptt.,, dt. 05.10.2012
6. From the CTE Lr No. C1/4803/2011, dt.08.10.2012.
7. Govt., memo. No. 17194/VC.II/2011, dt. 21.01.2013 and dt. 21.01.2013.
8. Inquiry Report of Commissioner of Inquiries, D.O. Lr. No.95/COI-AS/2013, dt. 30.08.2013.
9. Govt., memo. No. 17194/VC.II/2011, dt. 21.01.2013 and dt. 24.10.2013
10. Govt., memo. No. 17194/VC.II/2011, Dt 28.02.2014
11. From the CTE Lr No. C1/11414/2012, dt.15.03.2014 & 18.08.2014.

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**ORDER:-**

The Commissioner of Technical Education, Andhra Pradesh, Hyderabad his letter 1<sup>st</sup> read above has stated that Sri. M. Pullaiah, Administrative Officer, Government Polytechnic for Minorities, Kurnool has complained against the Principal of the Institution, stating that for non submission of the arrear bills of the Principal i.e., Sri M. Ranga Reddy, (Retired), Government Polytechnic for Minorities, Kurnool under Career Advancement Scheme (CAS) extended to retired Teachers.

2. The Government have framed the following charge under Rule 20 A.P.Civil Services (CC & A) Rules, 1991 vide G.O.Rt.No.375 Higher Education (VC.II) Department, dated.21.06.2012 as proposed by the Commissioner of Technical Education, A.P., Hyderabad.

**Article of Charge:**

**Charge – I:**

That the said Sri M.Ranga Reddy, Principal, Government Polytechnic (M), Kurnool, has withdrawn an amount of Rs.2,81,162/- (Rupees Two lakhs eighty thousand and one hundred and sixty two only) which is meant for RETIRED TEACHERS AS PER G.O.MS.NO.130, Higher Education (TE.I) Department dt.5.9.2009 by issuing sanctioning Proceedings himself without the approval of next higher authority.

**Charge – II :**

That the said Sri M.Ranga Reddy, Principal, Government Polytechnic (M), Kurnool, withdrawn the Powers of the Administrative Officer of the Institution without the knowledge of the Higher authority i.e., Commissioner of Technical Education and not sought any clearance from the competent authority.

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Charge –III :

That the said Sri M.Ranga Reddy, Principal, Government Polytechnic (M), Kurnool has failed to comply with the instructions of the Commissioner of Technical Education issued in Memo. No.C1/4801/2010, dt.13.4.2010, Sri M.Ranga Reddy, Principal, Government Polytechnic (M), Kurnool, was instructed to inform whether he has drawn the arrears of CAS in spite of objections raised by the ATO Kurnool on the Arrear Bill, but till to date he has not submitted his reply to the said Memo.

3. The Charged Officer has submitted his defense statement and the Government, after examination of the entire matter and in consultation with the APVC have placed the matter before the Commissioner of Inquiries as the C.O. has denied all the charges. Accordingly, Sri Alok Srivastav, IPS, COI has appointed as an Inquiry Officer and Sri JSN Murthy, Addl. Secretary, SBTET as Presenting Officer to conduct a detailed inquiry on the charges framed against Sri M.Ranga Reddy, Principal (Retd)..

Sri Alok Srivastava, IPS, COI after conducting the inquiry, has furnished the Inquiry Report (which may kindly be seen at pp.151-163 cf.) and the Enquiry Officer has given the detailed Analysis & Assessments and finally opined that all the (3) charges leveled against Sri M.Ranga Reddy Retired Principal are held proved.

A copy the above Enquiry Officer's Report has furnished to Charged Officer with a request to submit his explanation, vide Govt. Memo. dt.24-10-2013. The Charged Officer has submitted his explanation, wherein he denied all three charges and requested to release all pensionary benefits to him.

The Government after examination of the explanation of the Charged Officer and in consultation of AP Vigilance Commission have taken a provisional decision to impose a penalty of 20% cut in pension permanently which commensurate with the misconduct proved against Sri M.Ranga Reddy, Principal (Retired).

Accordingly, a show cause notice was issued to the individual vide Govt. Memo.No.17194/VC.II/2011, dated 28-02-2011. The Commissioner of Technical Education has forwarded the explanation of the individual, dt.14-03-2014 is as follows:

As regards the first charge, the individual has sated that the Director of Technical Education vide his procs. dt.06-12-2006 allowed the AICTE 1986 pay scales with effect from 28-11-1992 and the consequential fixation of pay was delegated to the Principals. Accordingly, his pay was notionally fixed from 28-11-1992 with the monetary benefit of the AICTE 1986 pay scales w.e.f. 1-4-1999 to 04-03-2005 was also allowed in the first instance to the retired teachers in G.O.Ms.No.130, HE (TE.I) Dept., dt.5-09-2009 and subsequently to the in-service teachers vide G.O.Ms.No.75, dt.13-08-2010. The arrears for the period from 01-04-1999 to 04-03-2005 were drawn as per the pay fixation already done under the orders of the DTE dt.6-12-2006 inadvertently quoting the G.O. Ms.No.130 meant for retired teachers. The arrears bill was drawn after it was passed by the treasury authorities. The audit objection was misleading in as much as the fixation of his pay was done under the orders of the Director of Technical Education. He had refund the arrears drawn by him, immediately on receipt of the audit objection, vide challan No.12269, dt.24-05-2011 even after issue of said G.O.Ms.75. His request to permit him to redraw the same in terms of G.O.Ms.No.75 was not acceded and there has been no response for his request, but these proceedings were instituted ad continued against him. Thus no loss was sustained to the Govt. Therefore. He has denied the charge.

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As regards the second charge, the individual has stated that the then Accused Officer frequently absented himself without permission or leave. He was adamant and used to defy his instructions though he was the head of the institution. The RJD, Technical Education has conducted the enquiry against the Accused Officer and the allegations proved in the enquiry. He being the head of the institution had to assume the powers of the DDO, which were delegated to him under sub-rule (2) of Rule 16 of AP Treasury Code Vol.I. It was accepted by the treasury authorities. The Commissioner of Technical Education has ratified his action in having fixed his pay and drawn the arrears.

As regards the third charge, the individual has stated that the bill was drawn after it was admitted by the treasury authorities and the fact was also reported to the Commissioner of Technical Education. He denied the charge.

The individual in his explanation, finally stated that he has not committed any offence. There is no lack of integrity or dereliction of duty on his part. The alleged irregularities are the result of misunderstanding. He has requested to drop the further action against him.

4. In the meanwhile, the Accused Officer has retired from service on 31.08.2011 on attaining the age of superannuation and as per Rule 9 of A.P. Revised Pension Rules, 1980, Government is the competent authority to finalize /initiate disciplinary proceedings against the retired Government servants. While submitting the copies of Article of charges, defence statement of the Accused Officer and report of the inquiry officer, the Commissioner of Technical Education has recommended to impose a cut of 20% on the pension of Sri M. Ranga Reddy, (Retired) Principal, Government Polytechnic (Minorities), Kurnool as per Rule 9 of APRP Rules, 1980.

5. After consideration of the material available, Government have decided provisionally to impose the penalty of 20% cut in pension permanently on Sri M. Ranga Reddy, (Retired) Principal, Government Polytechnic (Minorities), Kurnool. Accordingly, a show-cause notice was issued in the reference 10<sup>th</sup> read above to the Accused Officer to submit his explanation within 15 days from the date of receipt of the orders.

6. The Government after careful examination of the matter have observed that the explanation of the individual is not convincing and have therefore decided to confirm the punishment proposed in the show cause notice on the Accused Officer in terms of Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 and accordingly, the Government hereby confirm the punishment of 20% (twenty percent) cut in pension permanently against to Sri. M. Ranga Reddy, (Retired) Principal, Government Polytechnic (Minorities), Kurnool.

7. The Commissioner of Technical Education, A.P. Hyderabad, shall take necessary further action accordingly.

(BY ORDER IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

NILAM SAWHNEY  
PRINCIPAL SECRETARY TO GOVERNMENT (FAC)

To  
Sri. M Ranga Reddy, (Retired) Principal, H.No.6-130, Sai Ram Nagar,  
Chowdariguda Village, Ghatkesar Mandal, Ranga Reddy District  
through the Commissioner of Technical Education, A.P., Hyderabad  
The Commissioner of Technical Education, A.P., Hyderabad

**Copy to :**

The Accountant General, Andhra Pradesh, Hyderabad.  
PS to Hon`ble Minister (HRD) / P.S to Principal Secretary to Govt., (H.E)  
SF/SC.

//FORWARDED BY ORDER//

SECTION OFFICER